mentioning here, even in the tribal areas, even in the hilly areas, they have only resorted to a system of providing a post office in the years to come for 3,000 population in rural areas and 1500 in hilly areas. And during the period April, 1985 and till recently, only 338 new post offices were opened in rural areas and 536 in hilly, backward and tribal areas. This is the rate at which we aire now opening post offices. And, Madam, we only hope to open 5,000 post offices in the remaining two years of the 7th Five Year Plan. This is a sorry state of affairs. Bit, Madam, I am more concerned about the other thing. While the villages in such large numbers are without post offices, we have been talking in terms of a technology mission for tele-communications. As though it was not sufficient, we are now thinking in terms of setting up a telecommunication commission. I would like *to* know from the Government as to what is more important. Is it more important to have a telephone- I do admit, Madam, that telephone is important-is it more important to have a telephone or a post office so that even a simple communication can reach a common man who is living in the villages? Many of the common people in the villages will not be needing a telephone. Perhaps, they will be needing telegraph facilities and I am not going into the details of the telegraph facilities. Therefore, the time has come when we have to think in terms of priorities, priorities in clearer terms as to what is required and what is not required. And we cannot spend Rs. 3000 crorrs on a technology mission for tele-communications and, perhaps, a larger amount on tele-communications commission but always say that there is paucity of money and therefore we are not in a position to open post offices.

Therefore, Madam, I appeal to the Union Government even at this late hour to consider their priorities properly and come to a conclusion that it is necessary to provide basic facilities of communication like post office or a road, an all-weather road so that if there is a need people can come and go to the villages easily. I think, they are the priorities. Therefore, I would like to impress upon the Government *to* change their priorities on technology missions, to change their priorities of planning process and come to the basic needs such as post offices. I cited this only to show how we have been missing the important aspects of development in this country. Thank you, Madam.

THE DEPUTY CHAIRMAN: Now we take up the Prevention of Apartheid in Sports Bill, 1988.

Prevention of Apartheid in Sports Bill, 1988

THE MINISTER OF STATE IN THE DEPARTMENTS OF YOUTH AFFAIRS AND SPORTS AND WO MEN AND CHILD DEVELOPMENT IN THE MINISTRY OF HUMAN RE SOURCE DEVELOPMENT (SHRIMATI MARGARET ALVA): Madam Deputy Chairperson, I beg to move:

> "That the Bill to give effect to the International Convention against Apartheid in sports be taken into consideration."

Madam Deputy Chairperson, the 40th Session of the UN General Assembly approved and adopted the International Convention against Apartheid in Sports and appealed to Member States to accede and to ratify the Convention as soon as possible. The Convention came into force on 3rd April, 1988 and a total of 109 countries have adopted it already.

Madam, the Convention represents a major step in the sustained efforts of UN to secure a comprehensive boycott of the racist regime of South Africa by the international community in respect of sports. As a country in the vanguard of the international compagin against Apartheid and one which was actively involved

in the drafting of the Convention, India is expected to accede to the Convention.

As some of the provisions of the Convention interfere with the normal legal rights of Indian sports persons or their associations or relate to non-enforceability of otherwise valid sports contracts, it is necessary to have legislation to bestow legal sanction on such provisions. The Bill incorporates only those specific provisions of the Convention which interfere with the normal legal rights of Indian sports persons or relate to non-enforceability of sports contracts which would otherwise be valid. According to the Bill, sports bodies, sports teams and individual sp- persons are prohibited from having sp contracts and enter into sports contracts with a country practising Apartheid. It provides for refusal of financial or other assistance to sports persons who participate in sports activities in a country practising apartheid or with sports teams or individual sports persons selected on the basis of apartheid. The Bill also restricts access to national sports facilities to such team and individual sports persons. It provides for denial of entry to representatives of sports bodies, teams and individual sports persons representing a country practising apartheid. It also prohibits conferment of national honours and awards in sports to such persons or where they have already been conferred for withdrawal qf such honours.

Penalty has also been provided for contravention of the provisions of the Bill up to six months of imprisonment or fine, up to ten thousand rupees or both.

I hope that the Bill will receive the unanimous support of all parties and sections of the House.

The question was proposed.

THE DEPUTY CHAIRMAN: Motion moved. We have five minutes before lunch. Mr. Kamal Morarka, I would request, may start his speech and after the lunch how, he can continue.

SHRI KAMAL MORARKA (Rajasthan): I rise to basically support this Bill with a few comments which 1 would definitely like to make and bring to the attention of the Minister.

As the Minister has rightly said, this Bill really reflects our acceptance of the Convention which the UN has adopted, and we were a party to the drafting of the convention. Now, it is common knowledge, Madam, that apartheid is one of the worst forms of human discrimination known to man and in a modern world today it deserves no quarter from any civilised person. It is also a fact that South Africa has been practising apartheid and has treated the entire world with contempt. India has a special role to play because Mahatma Gandhi started his struggle from South Africa. In fact, he can be said to be the first person to raise a voice against this type of discrimination. But this particular Bill, I would like to point out, suffers from two maladies. One is that it has got a very very narrow and specific area. But the second part is, it is superfluous in many areas. Now if it is only to accept the UN Convention, we could have done it by a simple resolution-, I see from the Statement of Objects and Reasons that the Bill has been brought forward because it interferes with the rights of individual players. I submit that those rights will still remain unaffected by this Bill. Now, inasmuch as you want to restrict giving of government grant or use of national sports facilities to players who indulge in apartheid, I don't think a Bill is required, because the existing rules of the Government are enough to deny financial assistance or sports facilities to members on a host of other reasons. Apartheid is not the only reason. For instance, in India, if we have a sportsman practising untouchability, he will have to be denied all government grant or national sports facilities. So, I would have wished that if we were bringing specific provisions to debar sportsmen from getting government financial aid or national sports facilities, apart from apartheid we should have included a number of other

items which are peculiar only to our country. The UN could not have included in its Charter or its Convention things like untouchability or dowry. There are a lot of social legislations which we have passed which are peculiar to our country and if we are now today going to discriminate against sportsmen indulging in apartheid, there is no reason on earth why we should not take things nearer home into consideration. Apartheid is an international subject. It has a lot of international exposure. So it is all very good when India takes the apartheid issue; it can be flashed on the T.V., on the international T.V. But our real problems at home are much more serious and much more demeaning to human dignity, than apartheid. In India, for instance, I do not know of any player practising apartheid. In India you cannot practise apartheid because we are not white-skinned first of all. I don't think any Indian practises apartheid. The limited point is, any Indian playing for South Africa should be debarred which I think all associations like of cricket, football and hockey, are already following. To that extent this legislation is superfluous. At (he same time it lets go a player who is indulging in worse sort of human indignities. So, I would request the Minister to see that if the effort is to channelise sports into a particular direction, if the purpose of this legislation or the policy of this Government is that Government money should be used in a proper manner, we should also include not only apartheid but other sort of discriminations which have become a malady of the Indian Life. That is point number one.

The second point that I want to bring to the notice of the Minister is this. Recently a cricket team from England had to come and the Government refused visa to Boycott who is one of their players because he played for South Africa.

SHRI ANAND SHARMA (Himachal Pradesh): Boycott came earlier. This was Graham Gooch.

SHRI KAMAL MORARKA: O.K. Boycott and Graham Gooch, both fall in the same category. Even under this legislation they cannot be refused visa because they are individuals who are playing with countries practising apartheid. The Gleneagle agreement which is an international agreement has to be followed by all countries. Even that agreement does not stop them. Even in this Bill itself you have stated:

> "5. Without prejudice to the provisions of the Foreigners Act, 1946, or any orders made thereunder, a sportsman representing a country practising apartheid or any representative of sports bodies or sports teams representing that country shall not be allowed entry into India."

If a country is playing with South Africa you can stop that country from coming, but if an individual in England or West Indies or Pakistan is playing with South Africa you cannot stop him entry on that ground. The Government has done it in the past without this legislation. The visa rights are with the Government. They can refuse visa to anybody. So, what I am trying to point out is that this is a superfluous legislation. Coming to the specific question of aparthied I can understand the enthusiasm of this Government to be the champion of anti-aparthied movement in the world. We are also chairman of the Africa Fund and of so many other things. But let us not introduce racialism into sports. There is an international agreement and that agreement is very clear. In violation of that agreement, in an over-enthusiasm you want to say, no, no, we will not allow the player also who is playing with South Africa to come to our country. Well, there is a U.N. Convention, even the U.N. Convention does not prohibit that. Even the Bill which you have brought before the Parliament does not prohibit that. So, I strongly depricate this tendency of becoming more loyal than the king. Let us keep our head on our shoulders. We have to be strict about apartheid.

There is no question about that. Every civilized person is against aparthied, but in sports, whether it is national sports or international sports, let us keep certain rules and let us play within those rules. Right till the last minute the cricket team did not know whether they will be allowed to come or not. Then a delegation of Congressmen goes to the...

SHRI ANAND SHARMA: It was not our party delegation. An all party delegation went. Four hundred Parliamentarian signed it. If you are ignorant about it, please do not comment.

SHRI KAMAL MORARKA: Are you in the Chair?

SHRI ANAND SHARMA: I have every right to enlighten you.

SHRI KAMAL MORARKA: Madam, he can enlighten me in his speech, he cannot enlighten me now.

SHRI ANAND SHARMA: I am only making a friendly intervention. I am just giving him the facts so that he does not misstate the facts.

THE DEPUTY CHAIRMAN: You are being enlightened.

SHRI KAMAL MORARKA: If I have to be enlightened by a Congressman, God saVe me.

SHRIMATI MARGARET ALVA: May I take the opportunity of enlightening you?

SHRI KAMAL MORARKA: Are you not a Congressman?

SHRIMATI MARGARET ALVA: Though I am a Congresswoman, I take this opportunity to request you to read clause 4 which covers what you have talked about. This deals with those who have dealt with the country practising aparthied. This means, the individual players who have been playing in South Africa, automatically come under the ban.

SHRI KAMAL MORARKA: Excuse me you are not right. Clause 4 of this legislation relates to sportsmen of our country. Clause 5 is for foreigners.

SHRIMATI MARGARET ALVA**:** Clause 4 will prohibit the individuals who have been involved...

SHRI KAMAL MORARKA: Clause 4 prohibits them from using those facilities. I am very clear about this legislation as it is drafted now. If you want to include it, please bring an amendment and I will support it. But let us understand that if there is a Gleneagles agreement, we are supposed to follow that agreement the U.N. Convention does not break the Gleneagle agreement. The U.N. Conven* tion does not break Gleneagles Agreement. This legislation also does not break it. But in practice we deny visa. Government should come out with a clear-cut policy. If it is the policy, as the Minister has enlightened me just now, that even if a foreign player has any contact; we will not allow him, then this legislation needs amendment.

Thirdly, while we are talking about sports, we had a lot of discussion when we discussed Olympics but now we are talking of aparthied and getting very much concerned...

THE DEPUTY CHAIRMAN: How much more time will you take?

SHRI KAMAL MORARKA: I will need another five minutes. If you want**,** I can continue after lunch.

THE DEPUTY CHAIRMAN: You can continue after lunch. The House is adjourned for lunch till 2.30 P.M.

The House then adjourned for lunch at thirty-six minutes oast one of the dock

The House reassembled after lunch fit thirty-three minutes past two of the clock, The Vice-Chairman (Shri B. Satyanarayan Reddy) in the Chair.

PREVENTION OF APARTHEID IN SPORTS BILL, 1988. —Contd.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Shri Morarka to continue his speech.

SHRI KAMAL MORARKA: Sir, as I was stating just bef&re lunch, there are two main maladies I find with this legislation which we are discussing. One, as I said, is, it has a very narrow application, and the second is, it is superfluous. The honourable Minister intervened to say that clause 4 of this legislation covers foreigners who have contacts with South Africa. She said she would reply in her reply to the debate. In the lunch time I have had occasion to consult legal opinion. I reiterate that clause 4 of this Bill which we are considering and about pass deals with Indians. It does not deal with entry of foreigners. So, in its present form this legislation says that any Indian having links with South Africa will be denied Government facilities. For that a legislation is not required — a simple Government statement was enough. And there is no need of saying "All countries practising apartheid." There is only one country in the world practising apartheid. The passport of Indian citizens says "Valid for all countries except South Africa." A simple statement of the Government was enough, that any sportsman having links with South Africa will not get any facility, it was enough. This legislation is not required for that. Secondly, when you say "Indians practising apartheid", that is again superfluous. No Indian practises apartheid. In fact, I again say, Indians are practising apartheid in its worst form. There are Indians who are still practising untouchability, there are Indian who believe in dowry. That is a worse form of apartheid, worse than racial discrimination, in my opinion. It is much more valid in our country. Mahatma Gandhi who fought against racial discrimination in South Africa, fought equally zealously for the removal of untouchability. unfortunately today, in our enthusiasm to ape the West, we are in a hurry to bend backwards and say that aparthied is bad, but we do not talk of our own social problems. The third point which I want to emphasise to the Minister is, the facilities created, the moneys spent by the Government are still revolving around the cities. Delhi has got a lot of stadia, a lot of facilities. The vast majority of our countrymen cannot use those facilities. This is another form of apartheid. After all, it is the "haves" who will have the facilities. The real citizens will never get access to the facilities and the money which the Government spends to create those facilities. It is my submission to the Minister that she should please consider that those facilities which were created for the Asiad, which have now become permanent assets of the country, should be thrown open to the vast majority of our countrymen, and the only way to do this is that you should invite from all the States in the country selected sportsmen to come and stay in the Asiad complex for a year or two years of training. The Government has got accommodation which it can give free. They have got all the facilities for which in any case we are spending money. All that you have to arrange is food for the sportsmen. That investment is much less than that in the concrete stadia. We will go a long way in creating a better sports culture or better sports standard in this country. We can face international competitiveness in a much better way.

The final point I want to make is this. There is one clause here which says that national honours will not be bestowed on sportsmen who have links with South Africa or who have contacts with countries practising aparthied. Fine. Then it says that the honours which have been given will be withdrawn. Now, Madam, by this again we are exposing ourselves.